

REMARKS

Claims 1 and 3-7 are all the claims pending in the application. By this Amendment, Applicant amends claims 1 and 7 for improved conformity with the U.S. practice. In addition, Applicant adds claims 8-10, which are clearly supported throughout the specification.

I. Preliminary Matter

Applicant thanks the Examiner for reminding the proper content of an abstract of the disclosure. For improved conformity with the U.S. practice, Applicant amends the abstract. No new matter is being added. In view of the foregoing, Applicant respectfully submits that no further reminders with respect to the Abstract are believed to be necessary.

II. Summary of the Office Action

Claims 1 and 3-7 are rejected under 35 U.S.C. § 101 and claim 7 is rejected under 35 U.S.C. § 112, first paragraph.

III. Claim Rejections under 35 U.S.C. § 101

Claims 1 and 3-7 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant respectfully requests the Examiner to withdraw this rejection in view of the self-explanatory claim amendments being made herein.

IV. Claim Rejections under 35 U.S.C. § 112, first paragraph

Claim 7 is rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner contends that the modules set forth in claim 7 are not described in the specification (*see* page 4 of the Office Action). Applicant respectfully traverses these grounds of rejection in view of the following comments.

Applicant respectfully submits that the modules are supported by the specification. Specifically, the specification discloses that the planning tool P implements the exemplary method depicted in Figure 2 (*see* page 5, lines 1 to 6 of the specification). In particular, the first exemplary step implemented by the planning tool is dividing a cell into subcells (*see* page 5, lines 7 to 11 of the specification). This exemplary functionality has to be carried out by a software module or a combination of software and hardware module. That is, the functionality must be implemented by some module within the planning tool. Accordingly, the specification supports a dividing module, as set forth in claim 7. With respect to the other modules set forth in claim 7, it is respectfully submitted that the exemplary functionalities implemented by the planning tool P are described in Figure 2 and page 5, lines 12 to 34 of the specification. Accordingly, the specification supports modules for implementing these various functionalities.

V. New Claims

In order to provide more varied protection, Applicant adds claims 8-10.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. **If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney for scheduling an Interview, at the telephone number listed below.**

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appl. No. 09/882,018
Attorney Docket No.: Q64966

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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